

COURT OF APPEAL, <u>SECOND</u> APPELLATE DISTRICT, DIVISION <u>P</u>	Court of Appeal Case Number (if known): <b>B222281</b>
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <b>Steven M. Cischke, Esq. (Bar # 125612)</b> <b>Law Offices of Rheuban &amp; Gresen</b> <b>15910 Ventura Boulevard, Suite 1610</b> <b>Encino, CA 91436</b> TELEPHONE NO.: (818) 815-2727 FAX NO. (Optional): (818) 815-2737 E-MAIL ADDRESS (Optional): <b>sc@rglawyers.com</b> ATTORNEY FOR (Name): <b>Christopher Lee Dunn, Plaintiff</b>	Superior Court Case Number: <b>BC 417 928</b> <b>FOR COURT USE ONLY</b> <b>2010 DEC 13 PM 3:29</b> <b>CITY ATTORNEY</b>
APPELLANT: <b>Christopher Lee Dunn</b> RESPONDENT: <b>City of Burbank and Burbank Police Department</b>	
<b>REQUEST FOR DISMISSAL OF APPEAL (CIVIL CASE)</b>	

The undersigned appellant hereby requests that the appeal filed on (date) **02/08/2010** in the above entitled action be dismissed.

Date: November 30, 2010

Steven M. Cischke, Esq.

(TYPE OR PRINT NAME)

► Steven M. Cischke

(SIGNATURE OF APPELLANT OR ATTORNEY)

**NOTE: File this form in the Court of Appeal if the record on appeal has already been filed in the Court of Appeal. If the record has not yet been filed in the Court of Appeal, you cannot use this form; you must file an *Abandonment of Appeal (Unlimited Civil Case)* (form APP-005) in the superior court.**

CASE NAME: <b>Dunn v. City of Burbank, et al.</b>	CASE NUMBER: <b>BC 417 928</b>
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NOTICE TO PARTIES: A copy of this document must be mailed or personally delivered to the other party or parties to this appeal. A PARTY TO THE APPEAL MAY NOT PERFORM THE MAILING OR DELIVERY HIMSELF OR HERSELF. A person who is at least 18 years old and is not a party to this appeal must complete the information below and mail (by first-class mail, postage prepaid) or personally deliver the front and back of this document. When the front and back of this document have been completed and a copy mailed or personally delivered, the original may then be filed with the court.

### PROOF OF SERVICE

☒ Mail ☐ Personal Service

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My residence or business address is (specify):  
15910 Ventura Boulevard, Suite 1610  
Encino, CA 91436
3. I mailed or personally delivered a copy of the *Request for Dismissal of Appeal (Civil Case)* as follows (complete either a or b):
  - a. ☒ Mail. I am a resident of or employed in the county where the mailing occurred.
    - (1) I enclosed a copy in an envelope and
      - (a) ☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
      - (b) ☒ placed the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed as follows:
      - (a) Name of person served: Kristin A. Pelletier, Esq., Burke, Williams & Sorensen, LLP
      - (b) Address on envelope:  
444 South Flower Street, Suite 2400  
Los Angeles, CA 90071
      - (c) Date of mailing: December 8, 2010
      - (d) Place of mailing (city and state): Encino, California
  - b. ☐ Personal delivery. I personally delivered a copy as follows:
    - (1) Name of person served:
    - (2) Address where delivered:
    - (3) Date delivered:
    - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: December 8, 2010

Daphne Johnson  
(TYPE OR PRINT NAME)

  
(SIGNATURE OF DECLARANT)

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**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I am over the age of eighteen and am not a party to the within action. My business address is 15910 Ventura Boulevard, Suite 1610, Encino, California 91436.

On December 8, 2010, I served a copy of the following document described as **REQUEST FOR DISMISSAL OF APPEAL (CIVIL CASE)** on the interested parties in this action as follows:

Robert Tyson, Esq.  
Burke, Williams & Sorensen, LLP  
444 South Flower Street, Suite 2400  
Los Angeles, California 90071  
Facsimile: (213) 236-2700  
Email: [kpelletier@bwslaw.com](mailto:kpelletier@bwslaw.com)

Carol Ann Humiston  
Senior Assistant City Attorney  
Office of the City Attorney  
275 East Olive Avenue,  
Burbank, California 91510-6459  
Facsimile: (818) 238-5724  
Email: [chumiston@ci.burbank.ca.us](mailto:chumiston@ci.burbank.ca.us)

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**BY MAIL:** By placing a true copy thereof enclosed in a sealed envelope(s) addressed as above, and placing each for collection and mailing on that date following ordinary business practices. I am "readily familiar" with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. mail Postal Service in Los Angeles, California, in a sealed envelope with postage fully prepaid.

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**BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address listed above. My electronic notification address is [dj@rglawyers.com](mailto:dj@rglawyers.com). I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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**BY OVERNIGHT DELIVERY:** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed as above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

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**STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED on December 8, 2010, at Encino, California.

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Daphne Johnson